

UNITED STATES DISTRICT COURT
For The
Southern District of New York

-----X
Akiko Furuta

Plaintiff

Civil Action Number:

-against-

The City of New York
Department of Corrections
The New York City Police Department

Defendants
-----X

SUMMONS IN A CIVIL ACTION

To: City of New York Comptroller, One Center Street, New York, NY 10007

A lawsuit has been filed against you.

Within 21 days after service of this Summons on you (not counting the day you received it)—or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3)—you must serve on the Plaintiffs an Answer to the attached Complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The Answer or motion must be served on the Plaintiffs or Plaintiff's attorney, whose name and address is:

Dana Stricker, Esq.
180 E. 162nd Street
Suite 1E
Bronx, New York 10451

If you fail to respond, judgment by default will be entered against you for the relief demanded in the Complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

Akiko Furuta

Plaintiff

Civil Action Number:

VERIFIED COMPLAINT

-against-

The City of New York
Department of Corrections
The New York City Police Department

Defendants

-----X

Plaintiff by her attorney, LAW OFFICE OF DANA STRICKER, PLLC, as and for her Verified Complaint, respectfully allege upon information and belief as follows:

1. At all times herein mentioned, Plaintiff Akiko Furuta is and continues to be a resident of the City of New York.
2. Plaintiff Akiko Furuta is entitled to protected class status pursuant to Title VII of the Civil Rights Act, New York State Human Rights Law, and New York City Human Rights Law.
3. At all times herein mentioned, Defendants Department of Corrections and The New York City Police Department are New York City Agencies.
4. The basis for jurisdiction in this matter is a Federal Question in connection with an alleged violation of Title VII of the Civil Rights Act of 1964.

AS AND FOR THE FIRST CAUSE OF ACTION

5. Plaintiffs repeats, reiterates and realleges each and every allegation contained in the paragraphs of this complaint numbered "1" through "4" with the same force and effect as if the same were herein set forth at length.

6. On or about January 26, 2017, the Plaintiff was detained/incarcerated in the New York City prison system, and/or by the Department of Corrections, Criminal Court Bronx County. Upon information and belief, she asked Officer Cox, badge number 18969 or 19869, if she could use the phone to call her lawyer. Upon information and belief, he replied: "I don't need to give you shit... suck my dick if you want to call the lawyer..." Upon information and belief, she asked for the officer's name and he replied: "... Jack.... jack my cock." Upon information and belief Plaintiff was the only individual in the cell not allowed to use the phone. Upon information and belief, Plaintiff stated: "...Officer I am asking nicely- I just want to call my lawyer.." Upon information and belief he stated: "... Sit your ass down; I don't have to do fucking anything for you; You belong to me..." Upon information and belief all of the above was witnessed by the other 4 individuals detained with the Plaintiff.

7. Upon information and belief when it was time to eat, (Upon information and belief there were 5 individuals in the cell,) Officer Cox only brought food for the other four detainees. Four sandwiches and 4 milks- Upon information and belief no food for the Plaintiff. Upon information and belief all of the other inmates witnessed these events.

8. Upon information and belief, all other inmates were called to see the judge in the morning- Upon information and belief Plaintiff was not seen until 5 PM that day. Moreover, Upon information and belief several individuals who were brought in after Plaintiff were seen by the judge before Plaintiff.

9. The above actions by Defendant's agents, servants and/or employees, constituted disparate treatment, violated the Equal Protection clause of the Fourteenth Amendment to the United States Constitution, and appropriate conditions of confinement; such actions humiliated, frightened and traumatized Plaintiff, and caused her severe and irreparable emotional distress. The above actions by Defendant's agents, servants and/or employees caused Plaintiff permanent injuries, including, but not limited to, emotional pain and suffering, Post-Traumatic Stress Disorder, embarrassment, discomfort, stress also causing physical injury.

Pursuant to Title VII of the Civil Rights Act of 1964, as well as the New York State Human Rights Law, and the New York City Human Rights Law, the treatment by Defendant's agents, servants and/or employees was severe and pervasive, and both subjectively offensive to the plaintiff and would be considered offensive to a reasonable plaintiff.

10. Furthermore, the racially motivated harassment faced by Plaintiff, a member of a protected class, based on the basis of her race, violates Title VII of the Civil Rights Act of 1964, the New York State Human Rights Law, and the New York City Human Rights Law.

TRIAL BY JURY

11. The Plaintiff demands a trial by jury.

WHEREFORE, Plaintiff demands judgment against the Defendants as follows:

(a) On the First Cause of Action in the amount of TEN MILLION DOLLARS (\$10,000,000.00) DOLLARS;

(b) Together with interest, costs and disbursements of this action, and such other and further relief as to the Court may seem just and proper.

Dated:

Bronx, New York

March 16, 2017



Dana Stricker, Esq.

Attorney for the Plaintiff

180 East 162nd Street

Bronx, New York 10451

914-588-0651

Strickerlaw@gmail.com

VERIFICATION

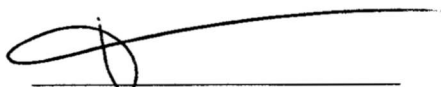
STATE OF NEW YORK)
 SS.:
COUNTY OF BRONX)

Akiko Furuta, being duly sworn, deposes and says:

Deponent is the Plaintiff herein; that deponent has read the Summons and Complaint and knows the contents thereof; that the same is true to the deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true.


Akiko Furuta

Sworn before me this 16 day
of March, 2017



Notary Public

DANA RENEE STRICKER
Notary Public, State of New York
No. 02ST6022471
Qualified in Westchester County
Commission expires July 3, 2019